



Michael Yim
212.898.4021
michael.yim@sedgwicklaw.com

October 28, 2016

Via ECF

The Honorable Dora L. Irizarry
Chief Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Chen et al. v. Kyoto Sushi, et al.*, Case No. 15-cv-07398 (DLI)(JO)
Sedgwick File No. 12986-000001

Dear Judge Irizarry:

This firm represents Defendants in the above-referenced matter. We write regarding your Order dated Monday, October 24, 2016 (the "Order"), and respectfully request that the Order extend to a stay of discovery, on the same grounds as the Order's stay of conditional certification.

The parties have exchanged discovery requests in this matter, to which responses are due October 31, 2016. Plaintiffs also have noticed multiple depositions for November 10, 11, and 14, 2016. Defendants seek a stay of discovery on the grounds that conducting discovery at this time would be premature in light of Defendants' pending motion to compel arbitration. *See Hamoudeh v. Unitedhealth Grp. Inc.*, 16-cv-790 (PKC)(RML), 2016 WL 2894870 (E.D.N.Y. May 17, 2016) (in staying grant of conditional certification pending outcome of motion to compel arbitration, recognizing importance of efficient case management). Should Defendants' motion to compel arbitration be granted, the arbitrator will then be in charge of case management and the scope of discovery. Thus, to conduct discovery before the Court has ruled on Defendants' motion would constitute a drain on both the parties' and the Court's time and resources. Plaintiffs will suffer no prejudice as a result of such streamlined case management.

For these reasons, Defendants respectfully request a stay of all discovery pending the outcome of Defendants' motion to compel arbitration.

Respectfully submitted,

s/

Michael Yim
Sedgwick LLP

Dora Irizarry

Re: Chen et al. v. Kyoto Sushi, et al., Case No. 15-cv-07398 (DLI)(JO)

October 28, 2016

Page 2

MXV2/DA

cc: John Troy (via ECF)
Kibum Byun (via ECF)